



Brazoria County Historical Museum

100 E. Cedar, Angleton TX 77515
bchm.org 979-864-1208 ©7/17/2020

Convict Leasing

Convict Leasing: 1867-1883

Convict leasing for profit developed between 1867-1883. After the Civil War, the State of Texas routinely arrested many newly freed slaves for vagrancy and petty crimes. The increase in prisoners caused overcrowding and extremely unhealthy conditions in the Huntsville Prison. The Texas Legislature decided that it could profit from the situation by turning over prison management to a private company for a fee and then grant it authority to rent out prisoners. This seamless shift from of African-Americans from slave labor to prisoner labor contributed significantly to Texas' post-war economic recovery.

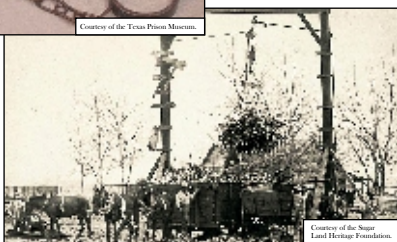


Masterson Plantation, Brazoria County Prisoners considered wood chopping and sugar cane cutting to be the worst work assignments because of the sun-up to sun-down, back-breaking physical labor, poor food, wretched living conditions, and the extremely cruel treatment by contract overseers. Leased labor of African-Americans accounted for approximately sixty percent of the Texas State Prison population.

Leased prisoners often chopped wood to clear land as well as for fuel and construction projects. The labor was particularly grueling. African-American prisoners were required to cut a cord a day apiece, while the quota for white prisoners was three-fourths of a cord per day.



When used, a prisoner walked with the chain shackled to his ankle dragging the ball along the ground. He could only lift and carry the ball with a guard's permission. As a result, the shackle would rub a prisoner's skin raw.



Arcola Plantation, Fort Bend County.



In 1867 the Sugar Land sugar factory leased all the available prisoners from Huntsville. The factory kept some prisoners on its own plantation as well as sub-leasing the remainder to other farms.

In 1871, the Texas legislature turned over its entire prison system to Ward Dewey, and Co. for fee of \$325,000 to be paid over a fifteen-year period. The company kept most of the white inmates inside the prison to work in its textile and furniture industries; however, it leased out the majority of African-American prisoners for labor outside the prison.

Huntsville Penitentiary



Courtesy of SHSU Special Collections, Newton Gresham Library, Sam Houston State University.



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Convict Leasing

Medical Report

The recorded examination of prisoners returning from an O&H Rail Road wood chopping force revealed scurvy, beatings, malnutrition, and self-mutilation.

Statement — Continued —	
Number	Remarks
11 Chas Harker	Suffering from Scurvy, pain in side & Self mutilation, left hand chopped off to 2 nd joint
12 Juan Gomez	Suffering from Scurvy 3 months Broken Back
13 Eunia Reese	" " Scurvy 2 months, improving
14 C.C. Irvine	Shot in right leg by guard Powell, while convict was on boxes without permission, the convict states he is a somnambulist & was in the state of one when shot
15 Jose Rodriguez	Suffering from Scurvy 3 months, lungs badly affected
16 Timus Lopez	Suffering from Scurvy 4 months, improving
17 Hipola Rodriguez	" " 2 months vomits blood
18 Sam Walker	" " 2 months, improving
19 James Kay	" " 2 months, left foot badly cut & crippled for life, Hospital Steward says, that by proper surgical treatment the man would gotten perfectly well
20 Thomas Burke	Suffering from Scurvy 3 months, nearly well
21 A. Hickman	" " Measles followed by Scurvy and injured in right leg, struck by stick in the hands of Foreman Blakely - Lame

Courtesy of the Texas State Library and Archives Commission.

Chas Harker	Suffering from scurvy, pain in side, and deep self-mutilation, left hand chopped off to second joint.
Juan Gemoz	Suffering from scurvy three months, broken back.
Eunia Reese	Suffering from scurvy two months, improving.
C.C. Irvine	Shot in right leg by guard Powell while convict was on the boxes without permission, convicts states he is a somnambulist (sleep walker) and was in the state of it when shot.
Jose Rodriguez	Suffering from scurvy three months, lungs badly affected.
Timus Lopez	Suffering from scurvy four months, improving.
Hipola Rodriguez	Suffering from scurvy two months, vomits blood.
Sam Walker	Suffering from scurvy two months, improving.
James Kay	Suffering from scurvy two months, left foot badly cut & crippled for life, hospital steward says that by proper surgical treatment the man would have gotten perfectly well.
Thomas Burke	Suffering from scurvy three months, almost well.
A. Hickman	Suffering from measles followed by scurvy and injured right leg struck by stick in hands of foreman Blakely Lame.



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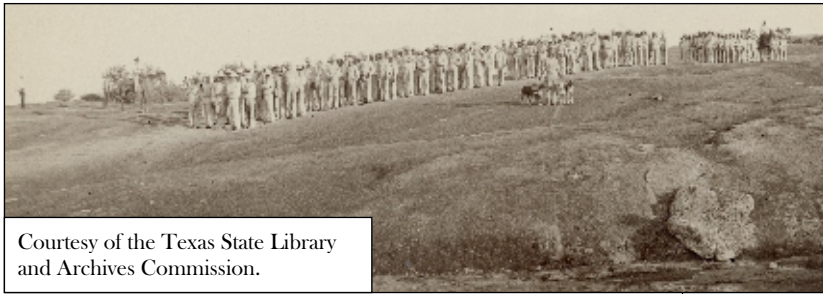
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Convict Leasing

Convict Leasing: 1883-1899

The Texas Legislature decided to increase its revenues by handling all prisoner operations itself. The state opened a second penitentiary at Rusk, ninety miles northeast of Huntsville. Then it purchased Wynne Farm in Walker County, Harlem Plantation in Fort Bend County, and William Clemens Farm in Brazoria County. The State, however, continued to lease prisoners to agents for farming and various railroad and building projects including the State Capital.

Convict leasing continued unabated in Fort Bend and Brazoria counties. The mostly African-American prisoners suffered intensely under the heavy-handed and cruel discipline of overseers. Foremen routinely misappropriated off subsistence funds intended for convict food and clothing.

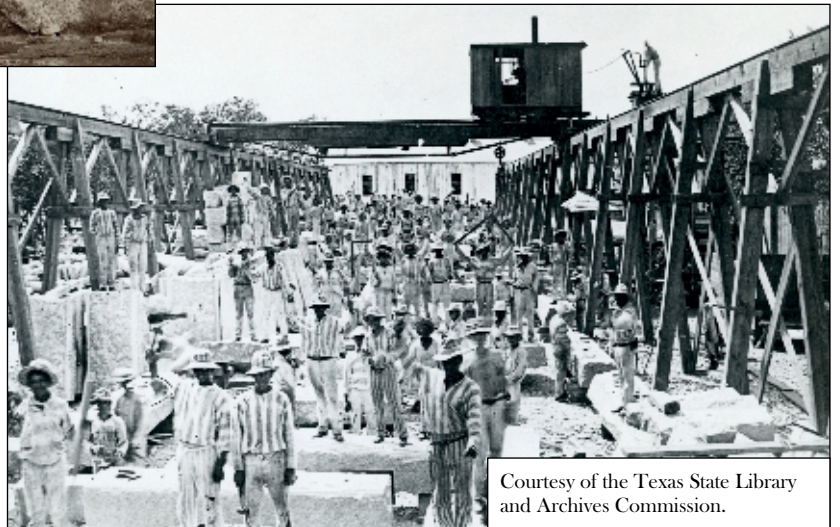


Courtesy of the Texas State Library and Archives Commission.

Huntsville Penitentiary administrators leased more than five hundred prisoners to work at Marble Falls in Burnett County to quarry stone for constructing the Capitol in Austin.

Courtesy of the Texas State Library and Archives Commission.

The contractor paid the State of Texas \$.65 per day for each prisoner who mined and shaped tons of pink granite. Typically, the prisoners lived in crudely constructed quarters.



Courtesy of the Texas State Library and Archives Commission.

Upon completion of the Capital, hundreds of contract prisoners went to work on private farms rather than work at the new state-owned plantations. Courtesy of the Texas State Library and Archives Commission.



Courtesy of the Texas State Library and Archives Commission.



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Convict Leasing

Death Report

Stocks were made of wood with holes for a prisoner's head and arms. A guard pulled the stock upward using a rope tied to a pole. The prisoner could choke to death if he was raised off the balls of his feet.

I heard Mr Sumner tell Frank Furlow to get on the stocks which Frank Furlow did, Mr Sumner told an George Hill to stock the said ~~Frank~~ Furlow when the said George Hill did, he raised the said Furlow until he stood on the balls of his feet, he stood in the stocks about five minutes he then let him down, the said Furlow was not contrite; he then commanded the said George Hill to put him in the stocks again which the said Negro did, after he was put in the second time, he jumped and flounced about to a considerable extent he stood in the stocks about five minutes and was taken out and found to be dead

G. E. Whitten
William Turner

The Prisoner Frank Furlow:
Reg No 5852

a true copy of the Original now
now on file in the Office of the
Board of Directors

J. W. Bush President
Board Directors
State Penitentiary

Special Report
To His Excellency
R. B. Hubbard
Governor

"I heard Mr. Sumner tell prisoner Frank Furlow to get on the stocks. Sumner then told prisoner George Hill to stock the prisoner, which he did by raising Furlow until he stood on the balls of his feet. After about five minutes, Hill let Furlow down. Sumner then commanded Hill to put Furlow back in the stocks because he was not contrite. The Negro did as he was told and raised Furlow a second time. Furlow then jumped and flounced about to a considerable extent. After he stayed in the stocks for about five minutes, he was taken out and found to be dead."

Courtesy of the Texas State Library and Archives Commission.



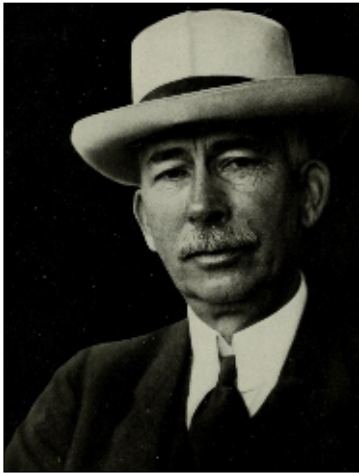
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Convict Leasing

Convict Leasing: 1899-1912

Texas expanded its prison operations by purchasing two additional farms: Imperial Farm in Fort Bend County and Ramsey Farm in Brazoria County. In spite of the possession of five working farms, approximately one-third of the prison population continued to be leased for outside labor. After a series of inspections that made the public aware of horrific prisoner treatment, the Legislature discontinued all leasing to agents in 1912.



Governor James Hogg gave Edward M. House the honorific title of “Colonel” because of his valuable work as a friend and advisor. House used his connections to acquire leased convict labor to build his Trinity & Brazos Valley Railroad from 1904 to 1910. Later, House went on to be an advisor to President Woodrow Wilson.

Leased prisoners worked building the 25 mile long Texas State Railroad between Rusk and the Calvert Iron Mine in Palestine.



Courtesy of the The History Center,
University of North Texas Libraries.



Courtesy of the Sam Houston State University,
E.M. Edwards Photograph Collection.

Huntsville Penitentiary Cemetery

The headstone listed only the deceased's identification number. Sadly, a prisoner had no name in death.



Courtesy of the Texas Prison Museum.

The “BAT” was a three to five foot long three ply leather strap attached to a one-to two-foot-long wooden handle. A prisoner would be ordered to bare his backside and then lie face down. Four inmates would then pull out his feet and arms into a spread eagle position, while a fifth inmate sat on his head. A guard then slowly administered from twenty to fifty blows on the prisoner's buttocks and back.

Leased prisoners worked from dawn to dusk, while rifle-bearing guards on horse-back maintained control. After the official discontinuation of convict labor in 1912, prison officials continued to illegally lease prisoners to private agents for several more years.





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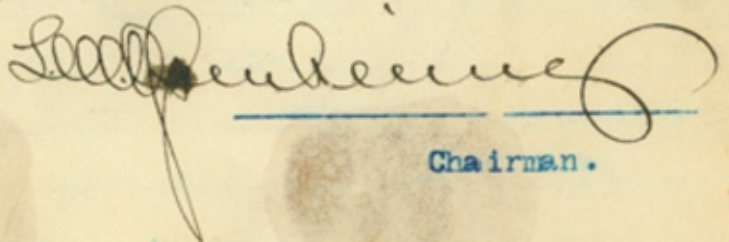
Penitentiary Board Leasing Contracts Report of 1903

This list includes only private contracts and does not contain the over two thousand prisoners who labored in the two state penitentiaries and five state farm facilities. The total number of leased African-American prisoners accounted for approximately one-third of the entire prisoner population.

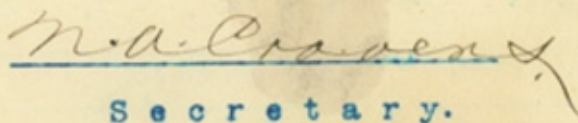
The following contracts for convict labor were approved by the Board and signed in open session: T. P. Barry, agent, 60 1st-class negroes; John D. Rogers, 50 1st-class negroes; Tom Peoples, 50 1st-class whites and Mexicans; C. W. Riddick, 50 1st-class negroes; Edwin Wilson, 50 1st-class negroes; Dyer & Bertrand, 50 1st-class negroes; T. W. House, 60 1st-class negroes; W. T. Watt, 50 1st-class negroes; E. H. Cunningham & Co., 200 1st-class negroes; C. G. Ellis, 125 1st-class negroes; W. L. Steele, 50 1st-class negroes; M. H. Turner, 75 1st-class whites and Mexicans; H. D. Lindsey Land & Cattle Co., 75 1st-class whites and Mexicans; W. J. Terrell and G. W. Harrington, 50 1st-class negroes; Mrs. D. Eastham, 125 2nd-class whites and Mexicans; W. W. Watts, 50 1st-class negroes; A. P. Borden, Executor, 50 1st-class negroes; Roach & Hughes, 75 1st-class negroes.

There being no further business on hand, the Board adjourned sine die.

APPROVED:


Chairman.

ATTEST:


Secretary.

Courtesy of the Texas State Library and Archives Commission.